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(1955-2005)

Donald J. Kravet  
*Partner*

May 8, 2015

By ECF and Facsimile

The Hon. Andrew J. Peck, U.S.M.J.  
United States District Court, Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: *Rafael Mota v. Bruckner Forever Young Social Adult Day Care Inc., et al.*,  
Case No. 15-cv-00064 -- Request For In-Court Settlement Conference

Dear Judge Peck:

We represent the defendants in the above-referenced matter. As the Court is aware, Judge Daniels directed that this matter be referred to Your Honor for the purpose of holding a settlement conference. (Doc #24) We write in response to today's letter from plaintiff's counsel to Your Honor, opposing Judge Daniels' already issued order.

Respectfully, we think that plaintiff's counsel has this upside down. Since *all* parties have indicated an interest in engaging in settlement negotiations (plaintiff's counsel so indicates in her letter), it seems inconsistent with that intent to oppose an in-person conference which, hopefully, will result in a prompt resolution of this matter.

It is clear that plaintiff's counsel is interested solely in attempting to certify a class in this case. To that end, she notes in her letter that an additional plaintiff, Angel Navarro, has opted into the case. The fact is, however, that Mr. Navarro was never employed by any of the defendants and, as a consequence, cannot sustain any of the claims set forth in plaintiff's complaint. Accordingly, this is simply a case between one plaintiff and his former employers over allegedly unpaid overtime wages, which is entirely appropriate for a settlement conference with Your Honor.

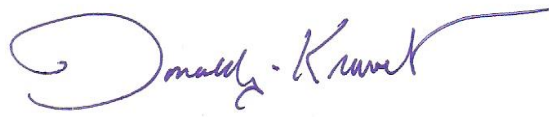
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Accordingly, we respectfully ask that Your Honor schedule a settlement conference at the Court's earliest convenience consistent with Judge Daniels' order.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Donald J. Kravet", with a large, stylized initial "D" and a long horizontal flourish extending to the right.

Donald J. Kravet

Cc: Vivian Walton, Esq., counsel for plaintiff, *by ECF*